

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

TREXEL, INC.

Plaintiff,

v.

MASTER INDUSTRIES, INC.

Defendant.

Civil Action No.: 05-11599 RCL

STIPULATED  
DISMISSAL

The Court, having been advised that the parties have resolved their claims in this Action and have entered into a Settlement Agreement, it is hereby ORDERED that this action, and all claims and counterclaims therein, are dismissed with prejudice as to infringement which occurred prior to the Effective Date of the Settlement Agreement, and without prejudice as to any infringement which occurs subsequent to the Effective Date of the Settlement Agreement. Each party is to bear its own costs, expenses and attorneys fees. This Court shall retain jurisdiction for the purposes of enforcement of the Settlement Agreement.

IT IS SO ORDERED.

Date

/s/ James J. Foster  
Attorneys for Plaintiff

Michael A. Albert, BBO # 558566  
James J. Foster, BBO # 553285  
Adam J. Kessel, BBO # 661211  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, MA 02210  
Tel: (617) 646-8000  
Fax: (617) 646-8646

United States District Judge

/s/ William A. Scofield, Jr.  
Attorneys for Defendant

William A. Scofield, Jr., BBO # 448940  
LAHIVE & COCKFIELD, LLC  
28 State Street  
Boston, MA 02109  
Tel: (617) 227-7400

David E. Schmit, Esq.  
Edwin R. Acheson, Jr., Esq.  
FROST BROWN TODD LLC  
201 East Fifth Street  
220 PNC Center  
Cincinnati, OH 45202  
Tel: (513) 651-6800